

REMARKS

Applicants have carefully studied the outstanding Official Action. The present response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Application as examined included claims 1-2 and 4-20. Claims 3 and 21-186 were previously cancelled. Claims 1, 5 and 10 are currently amended. Claim 4 has been cancelled. Claims 2, 6-9 and 11-20 are unchanged. New claims 187-194 are added.

Claims 1-2 and 4-20 stand rejected under 35 U.S.C. 102(e) as being anticipated by Bandini et al (U.S. Published Patent Application No. 2002/0199095).

Bandini et al describes an e-mail relay, providing message filtering services to an e-mail network by compares attributes of incoming messages to data derived from SPAM messages, which is stored in a SPAM database.

Applicants have amended claim 1 to further define the method of the present invention. Amended claim 1 includes the recitation of previous claim 4 and also includes the recitation "said at least one server being operative to periodically provide updated parameter templates to said at least one gateway." Claim 10 has also been similarly amended to recite of "said at least one server being operative to periodically provide updated parameter templates to said at least one gateway." Support for the amendment to claims 1 and 10 is found in the specification on page 17, lines 11-13.

Applicants respectfully submit that Bandini et al does not show or suggest a method for combating spam including, *inter alia*, a server operative to periodically provide updated parameter templates to at least one gateway, as recited in amended claims 1 and 10. Applicants respectfully submit that claims 1 and 10 are therefore patentable.

Claim 4 has been cancelled without prejudice. Claim 5 has been amended to depend from claim 1 instead of cancelled claim 4.

Claims 2 and 5-9 depend directly or ultimately from claim 1 and recite additional patentable matter and therefore are also allowable. Claims 11-20 depend directly or ultimately from claim 10 and recite additional patentable matter and therefore are also allowable.

Applicants have added new claims 187-194. Support for new claims 187- 194 is found in the specification as follows:

Support for claim 187 is found in the specification as filed on page 17, line 27-page 18, line 24. Claim 188 is similar in scope to original claim 38. Additional support for claim 188 is found in the specification on page 22, lines 27-30. Claims 189 and 190 are similar in scope to original claims 44 and 73.

Claims 191-194 are similar in scope to claims 187-190.

Applicants respectfully submit that Bandini et al does not show or suggest a method for combating spam including, inter alia, calculating a value based on said at least one message parameter, as recited in new claim 191. Applicants respectfully submit that Bandini et al does not show or suggest a method for combating spam including, inter alia, delaying incoming messages in a third category for a period of time and thereafter re-classifying the messages based on classifications of incoming messages received during the period, as recited in new claim 192.

Applicants respectfully submit that Bandini et al does not show or suggest a method for combating spam including, inter alia, classifying a message at least partially by relating to an unsubscribe feature in the message, as recited in new claim 193. Applicants respectfully submit that Bandini et al does not show or suggest a method for combating spam including, inter alia, classifying a message at least partially by relating to a registration status of at least one registered address in the message, thereby providing a spam classification for said message, as recited in new claim 194.

Applicants respectfully submit that claims 191-194 are therefore patentable.

Claims 187-190 depend from claim 1 and recite additional patentable matter and therefore are also allowable.

Applicants have carefully studied the remaining prior art of record herein and conclude that the invention as described and claimed in the present application is neither shown in nor suggested by the cited art.

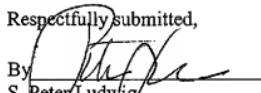
Applicants reserve the right to pursue the claims as filed in the context of a continuation application.

In view of the foregoing remarks, all of the claims are believed to be in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Dated: January 17, 2008

Respectfully submitted,

By


S. Peter Ludwig

Registration No.: 25,351
DARBY & DARBY P.C.
P.O. Box 770
Church Street Station
New York, New York 10008-0770
(212) 527-7700
(212) 527-7701 (Fax)
Attorneys/Agents For Applicant